



Reprinted  
February 26, 2002

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## ENGROSSED SENATE BILL No. 290

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DIGEST OF SB 290 (Updated February 25, 2002 1:41 PM - DI 71)

**Citations Affected:** IC 20-10.1; IC 21-3; noncode.

**Synopsis:** Education matters. Establishes a method for honorably discharged veterans who did not receive high school diplomas because they joined the military before graduating to receive diplomas. Allows the department of education to make alternative education program grants to school corporations more than once a year if the aggregate amount of the grants does not exceed \$750 per full-time equivalent student. Requires the director of the division of special education to coordinate an interagency task force to: (1) review services and funding sources available for children and young adults with disabilities and their families; and (2) submit a report to the legislature and the agencies involved.

**Effective:** Upon passage; July 1, 2002.

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**Lubbers, Alting, Lawson C, Breaux,  
Rogers, Sipes, Riegsecker**  
(HOUSE SPONSORS — PORTER, BEHNING)

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January 7, 2002, read first time and referred to Committee on Rules and Legislative Procedure.

January 15, 2002, amended, reported favorably — Do Pass.

January 22, 2002, read second time, ordered engrossed.

January 23, 2002, engrossed.

January 24, 2002, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 5, 2002, read first time and referred to Committee on Education.

February 21, 2002, reported — Do Pass.

February 25, 2002, read second time, amended, ordered engrossed.

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ES 290—LS 7069/DI 71+



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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## ENGROSSED SENATE BILL No. 290

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 20-10.1-30 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2002]:

4       **Chapter 30. High School Diploma Program for Eligible**  
5 **Veterans**

6       **Sec. 1. As used in this chapter, "department of veterans' affairs"**  
7 **refers to the Indiana department of veterans' affairs established by**  
8 **IC 10-5-1-3.**

9       **Sec. 2. As used in this chapter, "diploma" refers to a high school**  
10 **diploma.**

11       **Sec. 3. As used in this chapter, "eligible veteran" refers to an**  
12 **individual who has the following qualifications:**

13           **(1) Served as a member of the armed forces of the United**  
14 **States at any time during at least one (1) of the following**  
15 **periods:**

16           **(A) Beginning April 6, 1917, and ending November 11,**  
17 **1918 (World War I).**

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- 1 (B) Beginning December 7, 1941, and ending December 31,
- 2 1946 (World War II).
- 3 (C) Beginning June 25, 1950, and ending January 31, 1955
- 4 (Korean Conflict).
- 5 (D) Beginning February 28, 1961, and ending May 7, 1975
- 6 (Viet Nam Conflict).
- 7 (2) Before the military service described in subdivision (1):
- 8 (A) attended public or nonpublic high school in Indiana;
- 9 and
- 10 (B) was a student in good standing at the high school
- 11 described in clause (A), to the satisfaction of the
- 12 department of veterans' affairs.
- 13 (3) Did not graduate or receive a diploma because of leaving
- 14 the high school described in subdivision (2) for the military
- 15 service described in subdivision (1).
- 16 (4) Was honorably discharged from the armed forces of the
- 17 United States.
- 18 Sec. 4. As used in this chapter, "program" applies to the high
- 19 school diploma program for eligible veterans established by section
- 20 6 of this chapter.
- 21 Sec. 5. As used in this chapter, "school corporation" includes a
- 22 successor school corporation serving the area where a high school
- 23 that no longer exists was once located.
- 24 Sec. 6. The high school diploma program for eligible veterans is
- 25 established to provide for the issuance of high school diplomas to
- 26 certain veterans.
- 27 Sec. 7. The department and the department of veterans' affairs
- 28 shall jointly design a form for the application for issuance of a
- 29 diploma under the program. The application form shall require at
- 30 least the following information about an eligible veteran:
- 31 (1) Personal identification information.
- 32 (2) Military service information, including a copy of the
- 33 eligible veteran's honorable discharge.
- 34 (3) High school information, including the following:
- 35 (A) Name and address, including county, of the last high
- 36 school attended.
- 37 (B) Whether the high school was a public or nonpublic
- 38 school.
- 39 (C) Years attended.
- 40 (D) Year of leaving high school to begin military service.
- 41 (E) Year in which the veteran would have graduated if the
- 42 veteran had not left high school to begin military service.

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(4) If the high school attended was a public school, whether the veteran prefers receiving a diploma issued by:

(A) the board; or

(B) the governing body of the school corporation governing the high school.

Sec. 8. The department of veterans' affairs shall do the following for individuals that the department of veterans' affairs has reason to believe may be eligible to apply for a diploma under the program:

(1) Give notice of the program.

(2) Describe the application procedure.

(3) Furnish an application form.

Sec. 9. The following individuals may apply for the issuance of a diploma to an eligible veteran under the program:

(1) An eligible veteran, including an eligible veteran who has received a general education development diploma or a similar diploma.

(2) An individual who is:

(A) the surviving spouse of; or

(B) otherwise related to;

an eligible veteran who is deceased.

Sec. 10. An applicant for a diploma under the program must submit a completed application form to the department of veterans' affairs.

Sec. 11. Upon receipt of an application, the department of veterans' affairs shall do the following:

(1) Verify the accuracy of the information in the application, in consultation with the department, if necessary.

(2) Forward the verified application to the department.

Sec. 12. Upon receipt of a verified application, the department shall do the following:

(1) If the applicant:

(A) expresses a preference in the application to receive a diploma issued by the board; or

(B) attended a nonpublic high school before leaving high school for military service;

the department shall present a diploma issued by the board.

(2) If the applicant expresses a preference for receiving a diploma from the governing body of the school corporation containing the public high school that the eligible veteran left for military service, the department shall direct the governing body of the affected school corporation to issue and present

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the diploma.

Sec. 13. (a) The department and governing bodies are encouraged but are not required to hold a ceremony to present a diploma that is issued under the program.

(b) Upon request of a governing body, the department, in cooperation with the department of veterans' affairs, shall assist the governing body to develop a variety of formats for appropriate ceremonies at which to award diplomas under the program.

Sec. 14. (a) The board shall design a unique commemorative diploma for the board to issue to eligible veterans who:

(1) attended a public high school and express in the application a preference for receiving a diploma that the board issues; or

(2) attended a nonpublic high school.

(b) The board shall design a unique commemorative diploma that a governing body may choose to issue under the program.

Sec. 15. (a) A governing body may design a unique commemorative diploma for the governing body to issue under the program.

(b) A governing body that issues a diploma under the program shall issue one (1) of the following types of diplomas:

(1) The diploma described in subsection (a).

(2) The diploma designed by the board under section 14(b) of this chapter.

(3) The same diploma that the governing body issues to current graduates.

Sec. 16. The department and the department of veterans' affairs shall work cooperatively to jointly administer this chapter.

Sec. 17. A fee may not be charged to process an application or to award a diploma under this chapter.

Sec. 18. The department and the department of veterans' affairs may adopt rules under IC 4-22-2 to implement this chapter.

SECTION 2. IC 21-3-11-8, AS AMENDED BY P.L.291-2001, SECTION 170, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 8. (a) **Except as provided in subsection (b)**, the department of education shall distribute a grant under this chapter to a qualifying school corporation ~~not later than~~ not later than March 1. The grant shall be for the number of full-time equivalent students enrolled in and attending an alternative education program from January 1 through December 31 of the immediately preceding year and reported to the department of education under section 7 of this chapter.



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(b) Notwithstanding subsection (a), the department of education may authorize additional distributions for approved programs if the aggregate amount of the distributions to a school corporation during a school year under this subsection does not exceed a maximum amount of seven hundred fifty dollars (\$750) per full-time equivalent student reported under section 7 of this chapter.

SECTION 3. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "director" refers to the director of the division of special education of the department of education.

(b) The director shall coordinate a task force to review services and funding sources available for children and young adults with disabilities.

(c) The members of the task force established under subsection (b) are as follows:

(1) The director or the director's designee, who shall serve as chairperson of the task force.

(2) The secretary of the office of family and social services, or the secretary's designee.

(3) The director of the division of family and children, or the director's designee.

(4) The director of the division of mental health and addiction, or the director's designee.

(5) The director of the division of disability, aging, and rehabilitative services, or the director's designee.

(6) The administrator of the office of Medicaid policy and planning, or the administrator's designee.

(7) The commissioner of the state department of health, or the commissioner's designee.

(8) The deputy commissioner of the department of correction for juvenile services, or the deputy commissioner's designee.

(9) A member of the house of representatives, appointed by the speaker of the house of representatives.

(10) A member of the senate, appointed by the president pro tempore of the senate.

(11) A representative of a community mental health center, appointed by the governor.

(12) A representative of a local education agency, appointed by the state superintendent of public instruction.

(13) A parent advocate, appointed by the governor.

(d) The task force established under subsection (b) shall study and identify methods to achieve the following goals:



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1 (1) Coordinating, integrating, and streamlining service  
 2 delivery to children with disabilities and the families of  
 3 children with disabilities.

4 (2) Maximizing the use of available federal, state, and local  
 5 fiscal resources to provide an array of services to children  
 6 with disabilities and the families of children with disabilities.

7 (e) Before November 1, 2002, the task force established under  
 8 subsection (b) shall submit a report to the executive director of the  
 9 legislative services agency, the state superintendent of public  
 10 instruction, the secretary of the office of family and social services,  
 11 the commissioner of the state department of health, and the  
 12 commissioner of the department of correction. The report must  
 13 contain the following information:

14 (1) Methods identified under subsection (d).

15 (2) Suggested legislative changes to accomplish the goals set  
 16 forth under subsection (d).

17 (3) Suggested agency policy changes to accomplish the goals  
 18 set forth under subsection (d).

19 (4) Proposed local pilot programs to test the methods set forth  
 20 under subdivision (1).

21 (f) This SECTION expires November 2, 2002.

22 SECTION 4. An emergency is declared for this act.

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## SENATE MOTION

Mr. President: I move that Senators Alting, Lawson C, Breaux, Rogers and Sipes be added as coauthors of Senate Bill 290.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 290, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 8 and 9, begin a new line block indented and insert:

**"(10) A parent advocate, appointed by the state superintendent of public instruction."**

and when so amended that said bill do pass.

(Reference is to SB 290 as introduced.)

GARTON, Chairperson

Committee Vote: Yeas 8, Nays 0.

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SENATE MOTION

Mr. President: I move that Senator Riegsecker be added as coauthor of Engrossed Senate Bill 290.

LUBBERS

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 290, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

PORTER, Chair

Committee Vote: yeas 11, nays 0.

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## HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 290 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 21-3-11-8, AS AMENDED BY P.L.291-2001, SECTION 170, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 8. (a) **Except as provided in subsection (b)**, the department of education shall distribute a grant under this chapter to a qualifying school corporation ~~not later than~~ not later than March 1. The grant shall be for the number of full-time equivalent students enrolled in and attending an alternative education program from January 1 through December 31 of the immediately preceding year and reported to the department of education under section 7 of this chapter.

**(b) Notwithstanding subsection (a), the department of education may authorize additional distributions for approved programs if the aggregate amount of the distributions to a school corporation during a school year under this subsection does not exceed a maximum amount of seven hundred fifty dollars (\$750) per full-time equivalent student reported under section 7 of this chapter."**

Page 2, between lines 6 and 7, begin a new line block indented and insert:

**"(9) A member of the house of representatives, appointed by the speaker of the house of representatives.**

**(10) A member of the senate, appointed by the president pro tempore of the senate.**

**(11) A representative of a community mental health center, appointed by the governor."**

Page 2, line 7, delete "(9)" and insert **"(12)"**.

Page 2, line 9, delete "(10)" and insert **"(13)"**.

Page 2, line 9, delete "state superintendent" and insert **"governor."**

Page 2, delete line 10.

Renumber all SECTIONS consecutively.

(Reference is to ESB 290 as printed February 22, 2002.)

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## HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 290 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-10.1-30 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]:

**Chapter 30. High School Diploma Program for Eligible Veterans**

**Sec. 1.** As used in this chapter, "department of veterans' affairs" refers to the Indiana department of veterans' affairs established by IC 10-5-1-3.

**Sec. 2.** As used in this chapter, "diploma" refers to a high school diploma.

**Sec. 3.** As used in this chapter, "eligible veteran" refers to an individual who has the following qualifications:

(1) Served as a member of the armed forces of the United States at any time during at least one (1) of the following periods:

(A) Beginning April 6, 1917, and ending November 11, 1918 (World War I).

(B) Beginning December 7, 1941, and ending December 31, 1946 (World War II).

(C) Beginning June 25, 1950, and ending January 31, 1955 (Korean Conflict).

(D) Beginning February 28, 1961, and ending May 7, 1975 (Viet Nam Conflict).

(2) Before the military service described in subdivision (1):

(A) attended public or nonpublic high school in Indiana; and

(B) was a student in good standing at the high school described in clause (A), to the satisfaction of the department of veterans' affairs.

(3) Did not graduate or receive a diploma because of leaving the high school described in subdivision (2) for the military service described in subdivision (1).

(4) Was honorably discharged from the armed forces of the United States.

**Sec. 4.** As used in this chapter, "program" applies to the high school diploma program for eligible veterans established by section 6 of this chapter.



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**Sec. 5.** As used in this chapter, "school corporation" includes a successor school corporation serving the area where a high school that no longer exists was once located.

**Sec. 6.** The high school diploma program for eligible veterans is established to provide for the issuance of high school diplomas to certain veterans.

**Sec. 7.** The department and the department of veterans' affairs shall jointly design a form for the application for issuance of a diploma under the program. The application form shall require at least the following information about an eligible veteran:

- (1) Personal identification information.
- (2) Military service information, including a copy of the eligible veteran's honorable discharge.
- (3) High school information, including the following:
  - (A) Name and address, including county, of the last high school attended.
  - (B) Whether the high school was a public or nonpublic school.
  - (C) Years attended.
  - (D) Year of leaving high school to begin military service.
  - (E) Year in which the veteran would have graduated if the veteran had not left high school to begin military service.
- (4) If the high school attended was a public school, whether the veteran prefers receiving a diploma issued by:
  - (A) the board; or
  - (B) the governing body of the school corporation governing the high school.

**Sec. 8.** The department of veterans' affairs shall do the following for individuals that the department of veterans' affairs has reason to believe may be eligible to apply for a diploma under the program:

- (1) Give notice of the program.
- (2) Describe the application procedure.
- (3) Furnish an application form.

**Sec. 9.** The following individuals may apply for the issuance of a diploma to an eligible veteran under the program:

- (1) An eligible veteran, including an eligible veteran who has received a general education development diploma or a similar diploma.
- (2) An individual who is:
  - (A) the surviving spouse of; or
  - (B) otherwise related to;



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an eligible veteran who is deceased.

**Sec. 10.** An applicant for a diploma under the program must submit a completed application form to the department of veterans' affairs.

**Sec. 11.** Upon receipt of an application, the department of veterans' affairs shall do the following:

- (1) Verify the accuracy of the information in the application, in consultation with the department, if necessary.
- (2) Forward the verified application to the department.

**Sec. 12.** Upon receipt of a verified application, the department shall do the following:

- (1) If the applicant:
  - (A) expresses a preference in the application to receive a diploma issued by the board; or
  - (B) attended a nonpublic high school before leaving high school for military service;

the department shall present a diploma issued by the board.

- (2) If the applicant expresses a preference for receiving a diploma from the governing body of the school corporation containing the public high school that the eligible veteran left for military service, the department shall direct the governing body of the affected school corporation to issue and present the diploma.

**Sec. 13. (a)** The department and governing bodies are encouraged but are not required to hold a ceremony to present a diploma that is issued under the program.

**(b)** Upon request of a governing body, the department, in cooperation with the department of veterans' affairs, shall assist the governing body to develop a variety of formats for appropriate ceremonies at which to award diplomas under the program.

**Sec. 14. (a)** The board shall design a unique commemorative diploma for the board to issue to eligible veterans who:

- (1) attended a public high school and express in the application a preference for receiving a diploma that the board issues; or
- (2) attended a nonpublic high school.

**(b)** The board shall design a unique commemorative diploma that a governing body may choose to issue under the program.

**Sec. 15. (a)** A governing body may design a unique commemorative diploma for the governing body to issue under the program.

**(b)** A governing body that issues a diploma under the program

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shall issue one (1) of the following types of diplomas:

- (1) The diploma described in subsection (a).
- (2) The diploma designed by the board under section 14(b) of this chapter.
- (3) The same diploma that the governing body issues to current graduates.

**Sec. 16.** The department and the department of veterans' affairs shall work cooperatively to jointly administer this chapter.

**Sec. 17.** A fee may not be charged to process an application or to award a diploma under this chapter.

**Sec. 18.** The department and the department of veterans' affairs may adopt rules under IC 4-22-2 to implement this chapter."

Renumber all SECTIONS consecutively.

(Reference is to ESB 290 as printed February 22, 2002.)

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